



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

BARBARA D. UNDERWOOD
ATTORNEY GENERAL

DIVISION OF REGIONAL OFFICES
SUFFOLK REGIONAL OFFICE

October 23, 2018

The Honorable Joan M. Azrack
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, N.Y. 11722

Re: **Pellegrino, et al. v. New York State United Teachers, et al.**
Index No. 2:18-cv-03439-JMA-GRB

Dear Judge Azrack:

I represent Defendants Governor Andrew Cuomo, Attorney General Barbara Underwood, New York Public Employment Relations Board ("PERB") Chairman John Wirenius, and PERB Member Robert Hite, and write on behalf of all parties in this matter—including Plaintiffs—in response to the Court's order dated October 16, 2018, directing the parties to confer and file a proposed briefing schedule for the various motions to dismiss.

All parties have agreed to a briefing schedule for Defendants' motions, and respectfully request that the Court issue an order as follows:

Defendants' initial moving papers shall be due on or before January 21, 2019;

Plaintiffs' opposition(s) shall be due on or before April 22, 2019; and

Defendants' replies to Plaintiffs' opposition(s) shall be due on or before June 6, 2019.

The parties are available to discuss this matter at the Court's convenience, if necessary, and look forward to the resolution of these issues.

Very truly yours,

ROBERT E. MORELLI
Assistant Attorney General

cc: Counsel for all parties via ECF